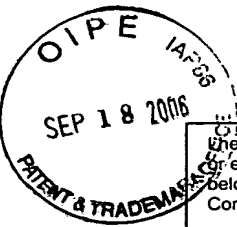


IFW



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
Dated: September 14, 2006 Signature: [Signature]
(Robert B. Cohen)

Docket No.: SONYJP 3.3-364
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Kunio Fukuda

Application No.: 10/549,591

Group Art Unit: N/A

Filed: September 20, 2005

Examiner: Not Yet Assigned

For: INFORMATION PROCESSING
APPARATUS, INFORMATION
PROCESSING METHOD, RECORDING
MEDIUM, AND PROGRAM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION

Dear Sir:

Enclosed please find the International Preliminary Report on Patentability.

In the event there are any fees due and owing in connection with this matter, please charge same to our Deposit Account No. 12-1095.

Dated: September 14, 2006

Respectfully submitted,
By [Signature]
Robert B. Cohen
Registration No.: 32,768
LERNER, DAVID, LITTENBERG,
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(908) 654-5000
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 861-S04P0373	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2004/003325	International filing date (<i>day/month/year</i>) 12 March 2004 (12.03.2004)	Priority date (<i>day/month/year</i>) 26 March 2003 (26.03.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SONY CORPORATION		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 740 14 35	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Date of issuance of this report 13 February 2006 (13.02.2006)</td> </tr> <tr> <td style="padding: 2px;">Authorized officer Yoshiko Kuwahara</td> </tr> <tr> <td style="padding: 2px;">Telephone No. +41 22 338 90 90</td> </tr> </table>	Date of issuance of this report 13 February 2006 (13.02.2006)	Authorized officer Yoshiko Kuwahara	Telephone No. +41 22 338 90 90
Date of issuance of this report 13 February 2006 (13.02.2006)				
Authorized officer Yoshiko Kuwahara				
Telephone No. +41 22 338 90 90				

PATENT COOPERATION TREATY

Translation

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

861-S04P0373

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2004/003325

International filing date (day/month/year)

12.03.2004

Priority date (day/month/year)

26.03.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

SONY CORPORATION

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/003325

Box No. 1

Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2004/003325

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-16	YES
	Claims		NO
Inventive step (IS)	Claims	3, 12	YES
	Claims	1, 2, 4-11, 13-16	NO
Industrial applicability (IA)	Claims	1-16	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP 4-287433 A (Sharp Corporation), 13 October, 1992 (13.10.92)
Document 2: JP 11-17687 A (NEC Corporation), 22 January, 1999 (22.01.99)
Document 3: JP 2002-217913 A (Hitachi Kokusai Electric Inc.), 2 August, 2002 (02.08.02)
Document 4: JP 10-341172 A (NEC Corporation), 22 December, 1998 (22.12.98)

The subject matters of claims 1, 4-10, 13-16 do not appear to involve an inventive step in view of documents 1-3 cited in the ISR. Since the paragraphs [0021] to [0024] in the document 1 describe the means for preventing interference from other terminals, the means for communicating at maximum power in a line connection control stage for the purpose of low consumption power, and the means for communicating at minimum necessary power during phone call according to the strength of receiving electric wave, the subject matters that these means are applied to a wireless LAN apparatus based on the provisions of the IEEE802.11 as described in the documents 2, 3 can easily be reached by a person skilled in the art.

The subject matters of claims 2, 11 do not appear to involve an inventive step in view of documents 1-4 cited in the ISR. The document 4 describes the matter that transmission power is controlled by selecting one of multiple amplifying means.

The subject matters of claims 3, 12 are not described in any of the documents cited in the ISR, and also are not easily reached by a person skilled in the art.